

## Message Text

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ACTION EB-07

INFO OCT-01 AF-06 IO-10 ISO-00 AGR-05 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05 L-02 LAB-04

NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

TAR-01 TRSE-00 USIA-06 PRS-01 SP-02 FEAE-00 OMB-01

/095 W

----- 093778

R 291353Z APR 75

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC 1805

INFO AMCONSUL CAPE TOWN

AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

USMISSION GENEVA

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CAPE TOWN FOR EMBASSY

E.O. 11652: N/A

TAGS: GATT, ETRD, SF

SUBJ: SOUTH AFRICAN IMPORT RESTRICTIONS

REF: A) STATE 62253; B) GENEVA 3523 (6/4/74)

1. REF A STATES THAT SAG IS OBLIGATED TO ADD AN ITEM TO FREE LIST (I.E. OBLIGATED NOT TO REQUIRE AN IMPORT LICENSE) IF THE ITEM WAS INVOLVED IN THE ARTICLE XXVIII NEGOTIATIONS AND IF THE TARIFF HAS BEEN CHANGED.

2. OUR UNDERSTANDING OF THE OBLIGATION IN REF B IS SLIGHTLY DIFFERENT. REF B SEEMS TO OBLIGATE THE SAG TO ISSUE LICENSES FOR SUCH ITEMS FREELY, NOT TO ADD THEM TO THE FREE LIST. SUCH ITEMS WOULD BE ADDED TO THE FREE LIST WHEN "THE NECESSARY

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DOMESTIC REQUIREMENTS . . . CAN BE MET."

3. IT THEREFORE DOES NOT SEEM JUSTIFIED FOR US TO COMPLAIN THAT ITEMS HAVE NOT BEEN ADDED TO THE FREE LIST AFTER A CHANGE IN TARIFF. OUR COMPLAINT SHOULD BE INSTEAD EITHER (A) THAT LICENSES ARE NOT BEING FREELY ISSUED FOR ITEMS SUBJECT TO A TARIFF CHANGE OR (B) THAT THE "NECESSARY DOMESTIC REQUIREMENTS" FOR ADDING AN ITEM TO THE FREE LIST REQUIRE TOO MUCH TIME, AND THAT THE SAG IS NOT "EXPEDITING THE APPROVAL OF THESE REQUIREMENTS" AS PROMISED. POSSIBLY BOTH COMPLAINTS ARE JUSTIFIED.

4. WE WOULD APPRECIATE DEPARTMENT'S COMMENTS ON ABOVE. IF OUR UNDERSTANDING IS CORRECT AND IF DEPARTMENT WANTS US TO COMPLAIN THAT LICENSES ARE NOT BEING FREELY ISSUED WE WILL NEED INFORMATION ON SPECIFIC CASES IN WHICH SAG HAS REFUSED PERMITS ON ARTICLE XXVIII ITEMS ON WHICH THE TARIFF HAS BEEN CHANGED. IF NO SPECIFIC CASES KNOWN BELIEVE OUR APPROACH SHOULD BE LIMITED TO ATTEMPTING TO OBTAIN A COMMITMENT AS TO WHEN THE "NECESSARY DOMESTIC REQUIREMENTS" WILL BE MET AND THE ITEMS ADDED TO FREE LIST.  
EDMONDSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRADE LIBERALIZATION, IMPORT CONTROLS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 APR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ACTION EB  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 62253, 75 GENEVA 3523, 75 (6/4/7  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CunninFX  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 23 JUN 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <23 JUN 2003 by BoyleJA>; APPROVED <17 DEC 2003 by CunninFX>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
**Subject:** SOUTH AFRICAN IMPORT RESTRICTIONS  
**TAGS:** ETRD, SF, GATT  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006